



Eric Gonzalez
District Attorney

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KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: **[INSERT CASE NAME]**
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: MICHAEL PONZI

MOS TAX: 931898

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

IN JANUARY OF 2011, POLICE OFFICER MICHAEL P. PONZI, SHIELD NUMBER 21249, MOVED INTO THE APARTMENT OF HIS GIRLFRIEND, WHOM HE KNEW WAS A RECOVERING DRUG ADDICT. PO PONZI FAILED TO NOTIFY HIS COMMANDING OFFICER OF HIS CHANGE OF ADDRESS, AS REQUIRED BY DEPARTMENTAL REGULATIONS. ON JULY 22, 2013, PO PONZI SAW WHAT HE BELIEVED TO BE A QUANTITY OF COCAINE IN THE APARTMENT AND HE CONFRONTED HIS GIRLFRIEND WHO CONFESSED THAT THE SUBSTANCE WAS HERS AND THEN SNORTED IT IN HIS PRESENCE. PO PONZI ARGUED WITH HIS GIRLFRIEND AND LEFT THE LOCATION. WHEN HE LATER RETURNED, THE ALLEGED CONTROLLED SUBSTANCE WAS STILL IN THE LIVING ROOM, BUT HE DID NOT TAKE POSSESSION OF IT, OR NOTIFY THE POLICE AT THAT TIME. THE FOLLOWING DAY, HE NOTIFIED THE INTERNAL AFFAIRS BUREAU OF THE INCIDENT. DURING THE COURSE OF IAB'S SUBSEQUENT INVESTIGATION, IT WAS LEARNED THAT PO PONZI HAD RIFLES SECURED AT A FRIEND'S HOME, IN A SAFE IN THE BASEMENT. THE RIFLES INCLUDED AN ASSAULT RIFLE, WHICH PO PONZI ERRONEOUSLY BELIEVED HE COULD OWN BECAUSE HE WAS A POLICE OFFICER AND MEMBER OF THE US ARMY RESERVES. ADDITIONALLY, UNBEKNOWNST TO PO PONZI, HIS FRIEND, WITH WHOM PO PONZI CO-OWNED HUNTING PROPERTY UPSTATE, HAD PAST ARRESTS AND DID NOT HAVE A FIREARMS PERMIT.

AS A RESULT OF THE ABOVE INVESTIGATION, THE FOLLOWING DEPARTMENTAL CHARGES WERE PREFERRED AGAINST PO PONZI -- NAMELY, THAT HE:

- (1) DID KNOWINGLY ASSOCIATE WITH A PERSON KNOWN TO HAVE ENGAGED IN CRIMINAL ACTIVITIES;
- (2) HAVING WITNESSED AN INDIVIDUAL KNOWN TO THE DEPARTMENT POSSESS AND USE A CONTROLLED SUBSTANCE, FAILED TO TIMELY NOTIFY THE DEPARTMENT AS REQUIRED;
- (3) DID POSSESS AN UNAUTHORIZED FIREARM IN VIOLATION OF THE NYC ADMINISTRATIVE CODE
- (4) IMPROPERLY STORED HIS WEAPONS IN ANOTHER INDIVIDUAL'S GUN SAFE WHO WAS NOT LICENSED TO POSSESS FIREARMS WITHIN THE CONFINES OF NEW YORK CITY; AND
- (5) HAVING CHANGED HIS ADDRESS, DID FAIL TO NOTIFY HIS COMMANDING OFFICER BY SUBMITTING FORM CHANGE OF NAME, RESIDENCE OR SOCIAL CONDITION, AS REQUIRED.

HE PLEADED GUILTY TO THESE CHARGES. A DISCIPLINARY SANCTION OF THE FORFEITURE OF 25 VACATION DAYS WAS IMPOSED ON PO PONZI FOR HIS CONDUCT.

Disclosure # 2:

MOS PONZI IS A NAMED DEFENDANT IN THE FOLLOWING CIVIL ACTION:
GEICO GENERAL INSURANCE COMPANY AS SUBROGEE OF ALEX LI V. CITY OF NEW YORK, ET AL, 019586/2014 FILED
IN QUEENS CIVIL

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION AGAINST MOS PONZI:
ALLEGATION:

MOS PONZI, ASSIGNED TO 076 PRECINCT, AT APPROXIMATELY 2219 HOURS ON 04/03/2015 MOS PONZI, ALONG WITH HIS PARTNER ADVISED CENTRAL OF 10-75 "DIRECTED PATROL" IN REGARD TO A RECENT SHOOTING INCIDENT. AT APPROXIMATELY 2225 HOURS, THE SECTOR TEAM DEPARTED FROM THE LOCATION WITHOUT PROVIDING CENTRAL WITH A FINAL DISPOSITION. AT APPROXIMATELY 2241 HOURS, AND FROM AN UNKNOWN LOCATION, THEY DID ATTEMPT TO ADVISE A FINAL DISPOSITION BUT WERE DIRECTED TO "10-6" DUE TO ANOTHER ASSIGNMENT. THE SECTOR DID NOT ATTEMPT TO FINALIZE THE JOB OVER THE AIR AGAIN UNTIL APPROXIMATELY 2321 WHEN THEY MARKED A LOCATION KNOWN TO THE DEPARTMENT 10-91 AND REQUESTED AN ICAD. DURING THIS TIME, A SECOND SECTOR (SECTOR 76E) REQUESTED AN ADDITIONAL UNIT FOR AN OPEN DOOR. SECTOR G DID NOT RESPOND DESPITE BEING AVAILABLE. MOS PONZI STATED HE HAD ATTEMPTED TO GIVE CENTRAL A FINAL BUT THE DIVISION WAS "CRAZY". MOS PONZI COULD NOT PROVIDE A REASON AS TO WHY HE DID NOT RESPOND TO THE REQUEST BY SECTOR 76E FOR AN ADDITIONAL UNIT. HE STATED HE WAS ON MEAL AS OF 2224 HOURS BUT NEVER FINALIZED HIS PREVIOUS ASSIGNMENT OR REQUESTED MEAL VIA CENTRAL. AN INSPECTION OF MOS PONZI'S MEMO BOOK @ 2350 HOURS REVEALED HE HAD NO ENTRIES AFTER 1730 HOURS FOR HIS TOUR ON 04/03/2015.

CASE STATUS: CLOSED ON 04/07/2015

PENALTY: SCHEDULE B COMMAND DISCIPLINE, FORFEITURE OF FOUR (4) HOURS

Disclosure # 4:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Carol Hill et al	15-CV-7223	E.D.N.Y.	9-14-15	2-25-16	Order granting defendants' motion to dismiss pursuant to Fed. R. Civ. Proc. 12(b)(6) [failure to state a claim]
T.S.	10-CV-3917	E.D.N.Y.	8-25-10	5-9-11	Settlement, without admission of fault or liability

THE PEOPLE ARE UNAWARE OF ANY PENDING OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.

Eric Gonzalez
District Attorney
Kings County